

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

2311 RACING LLC d/b/a 23XI RACING and  
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK  
CAR AUTO RACING, LLC and JAMES  
FRANCE,

Defendants.

Civil Action No. 3:24-cv-886-FDW-SCR

**NOTICE OF APPEAL**

Notice is hereby given that plaintiffs 2311 Racing, LLC (“23XI”), d/b/a 23XI Racing, and Front Row Motorsports, Inc. (“Front Row” and together with 23XI, “Plaintiffs”) hereby appeal to the United States Court of Appeals for the Fourth Circuit from the Court’s Order Denying Without Prejudice Plaintiffs’ Motion For Preliminary Injunction (Dkt. 42), entered in this action on November 8, 2024, together with all underlying orders, rulings, and findings.

Dated: November 12, 2024

Respectfully submitted,

WINSTON & STRAWN LLP

By: /s/ Jeffrey L. Kessler  
Jeffrey L. Kessler  
**WINSTON & STRAWN LLP**  
200 Park Avenue  
New York, NY 10166  
Tel: (212) 294-6700  
Fax: (212) 294-4700  
jkessler@winston.com

Danielle T. Williams  
**WINSTON & STRAWN LLP**  
300 South Tryon Street  
16th Floor  
Charlotte, NC 28202  
Tel: (704) 350-7700  
Fax: (704) 350-7800  
dwilliams@winston.com

Jeanifer Parsigian  
Michael Toomey  
**WINSTON & STRAWN LLP**  
101 California Street  
San Francisco, CA 94111  
Tel: (415) 591-1000  
Fax: (415) 591-1400  
jparsigian@winston.com  
mtoomey@winston.com

Matthew R. DalSanto  
**WINSTON & STRAWN LLP**  
35 W. Wacker Drive  
Chicago, IL 60601  
Tel: (312) 558-5600  
Fax: (312) 558-5700  
mdalsanto@winston.com

*Counsel for Plaintiffs 2311 Racing LLC d/b/a  
23XI Racing and Front Row Motorsports Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **NOTICE OF APPEAL** was electronically filed using the Court's CM/ECF system, which will automatically send notice of this filing to counsel of record for all parties, including:

Tricia Wilson Magee  
**SHUMAKER LOOP & KENDRICK, LLP**  
101 S. Tryon St., Suite 2200  
Charlotte, NC 28280  
tmagee@shumaker.com

Christopher S. Yates  
**LATHAM & WATKINS LLP**  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111  
chris.yates@lw.com

Lawrence E. Buterman  
**LATHAM & WAKINS LLP**  
1271 Avenue of the Americas  
New York, NY 10020  
lawrence.buterman@lw.com

Anna M. Rathbun  
Christopher J. Brown  
**LATHAM & WATKINS LLP**  
555 Eleventh Street, NW, Suite 1000  
Washington, DC 20004  
anna.rathbun@lw.com  
chris.brown@lw.com

*Counsel for Defendants National Association for Stock Car Auto Racing, LLC and James France*

Jeffrey L. Kessler  
Jeffrey L. Kessler